

1 M. ANDERSON BERRY (262879)
aberry@justice4you.com

2 **CLAYEO C. ARNOLD,**
3 **A PROFESSIONAL LAW CORPORATION**
4 865 Howe Avenue
Sacramento, CA 95825
Telephone: (916) 239-4778
Facsimile: (916) 924-1829

5 JOHN A. YANCHUNIS (*Pro Hac Vice*)
6 jyanchunis@ForThe People.com
7 **MORGAN & MORGAN**
8 **COMPLEX LITIGATION GROUP**
201 N. Franklin St., 7th Floor
Tampa, FL 33602
Telephone: (813) 223-5505
9 Facsimile: (813) 223-5402

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

13 ALEX PYGIN, an individual and California
14 resident, on behalf of himself and all others
similarly situated,

15 Plaintiff,

16 vs.

17 BOMBAS, LLC, SHOPIFY (USA) INC. and
SHOPIFY, INC.

18 Defendants.

Case No.: 4:20-cv-04412-JSW

**POST DISTRIBUTION ACCOUNTING
REPORT**

Judge: Hon. Jeffrey S. White

Pursuant to the United States District Court Northern District of California's Procedural Guidance for Class Action Settlements, Class Counsel submits the following Post Distribution Accounting Report:

SETTLEMENT DETAILS	
Total Settlement Fund	Gross Settlement Fund: \$225,000.00
Total Number of Class Members	82,615

NOTICE DETAILS	
Methods of Notice	Mail Notice (Postcards sent) E-mail Notice
Total Number of Post Card Notices Sent	4,715
Total Number of Post Card Notices Sent & <u>Not</u> Returned as Undeliverable	4,663
Total Number of Email Notices Sent	77,888
Total Number of Email Notices Sent & <u>Not</u> Returned as Undeliverable	76,336

CLAIM FORM SUBMISSIONS, EXCLUSIONS AND OBJECTIONS	
Total Number of Claim Forms Submitted	11,789 Claim Form Submissions <ul style="list-style-type: none"> 11,604 Online submissions 185 Mailed submissions
Total Number of Valid Claim Forms Submitted and Approved	1,922
Total Number of Opt-Outs Submitted	0
Total Number of Objections Submitted	0

SETTLEMENT PAYMENT DETAILS

Method(s) of Payment to Class Members	Physical Checks sent by the United States Postal Service ("USPS") first-class mail, postage prepaid; Payments via PayPal
Total Number of Cash Payments Issued to Class Members	1,922
Total Number of Checks Issued	1,420
Total Number of PayPal Payments Issued	502
Total Cash Amount Distributed to Class Members	\$109,056.60
Average Recovery Per Claimant through 4/24/22	The deadline for class members to cash settlement payments is 10/4/2022, therefore this average number is not known at this time. If all settlement payments are cashed, the average payment per claimant will be \$56.74.
Median Recovery Per Claimant through 4/24/22	The deadline for class members to cash settlement payments is 10/4/2022, therefore this median number is not known at this time. If all settlement payments are cashed, the median payment per claimant will be \$56.71.
Total Number of Payments Issued to Class Members and Not Cashed/Cleared through 4/24/22	The deadline for class members to cash settlement payments is 10/4/2022, therefore this total number is not known at this time. As of April 24, 2022, 281 payments have not been cashed.
Total Value of Payments Not Cashed/Cleared through 4/24/22	The deadline for class members to cash settlement payments is 10/4/2021, therefore this total number is not known at this time. As of April 24, 2022, payments worth a total of \$15,955.51 have not been cashed.
Smallest Payment Amount	\$56.71
Largest Payment Amount	\$66.71

SETTLEMENT PAYMENT DETAILS	
Total Administration Costs	\$50,629.15
Amount of Residual Distributed to Non-Profit Organization	TBD
Court Appointed Service Awards to Class Representative	\$1,000.00
Attorneys' Fees Awarded	\$56,250.00
Court Awarded Attorneys' Fees as a percentage of the Settlement Fund	25.000%
Attorneys' Fees Multiplier	-0.335
Attorneys' Expenses Awarded	\$8,066.37
Court Awarded Attorneys' Expenses as a Percentage of the Settlement Fund	3.585%
Total Attorneys' Fees and Costs	\$64,316.37
Percentage of Attorneys' Fees and Costs of the Settlement Fund	28.585%

See Declaration of Ryan Chumley of Angeion Group, LLC Re: Post-Distribution Accounting attached hereto as Exhibit A.

DATED: April 25, 2022

Respectfully submitted,

**CLAYEO C. ARNOLD,
A PROFESSIONAL LAW CORP.**

By: /s/ M. Anderson Berry
M. ANDERSON BERRY

M. ANDERSON BERRY
aberry@justice4you.com
865 Howe Avenue
Sacramento, CA 95825

Telephone: (916) 239-4778
Cellular: (415) 595-3302
Facsimile: (916) 924-1829

JOHN A. YANCHUNIS (*Pro Hac Vice*)
jyanchunis@ForThePeople.com

MORGAN & MORGAN
COMPLEX LITIGATION GROUP

201 N. Franklin Street, 7th Floor
Tampa, Florida 33602
Telephone: (813) 223-5505
Facsimile: (813) 223-5402

Attorneys for Plaintiffs